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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,264	06/27/2001	Ludo Gys	Q64971	1632
7590	12/14/2004			EXAMINER
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3213			CHANKONG, DOHM	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/891,264	GYS, LUDO	
	<b>Examiner</b> Dohm Chankong	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 September 2004.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-11 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>6/27/2001</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

1> Claims 1-11 are presented for examination.

### *Claim Rejections - 35 USC § 103*

2> The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3> Claims 1-11 are rejected under 35 U.S.C § 103(a) as being unpatentable over Yates et al, U.S Patent No. 6,330,586 ["Yates"], in view of Beck et al, U.S Patent No. 6,604,140 ["Beck"].

4> As to claim 1, Yatesdiscloses a method for providing personal services for a communication means of a user, said communication means being connected to a communication network, the method comprising the steps of:  
execution by said service computer of said service machine, said service machine managing the execution of a personal service for said communication means [column 2 «lines 60-65» | column 3 «lines 5-15 and 21-23» | column 29 «line 63» to column 30 «line 9» where: Yates' module are analogous to the service container, the module's code and SIBBs are analogous to a service machine];

provision by said service computer of at least one network lock for said first service container, said at least one network lock offering to said first service container a predefined interface to said communication network for the provision of said personal service [column 6 «lines 38-45» | column 9 «lines 1-7» | column 10 «lines 1-16» where: Yates' interfaces are comparable in functionality to the network lock and Yates' terminal domain is analogous to the service computer]; and

provision of said personal service by execution or by application by said service machine of at least one service component being transmitted to said service computer via said first service container or via a second service container [abstract | column 4 «lines 41-55» | column 15 «lines 33-40» | column 26 «lines 60-63» | claim 1 where: execution of code in the software module provides the personal service to the terminal in Yates' system].

Yates does disclose a first service container containing a service machine available to a service computer [abstract | column 2 «line 66» to column 3 «line 15» where Yates' modules is analogous to the service container and the code of the module and the SIBBs are analogous to a service machine], but does not specifically disclose transmission of the container by a service server.

5> Beck discloses a method for providing personal services including transmission by a service server of a first service container to a service computer [abstract | column 1 «lines 65-67» | column 2 «lines 1-3 and 16-20» | column 6 «lines 13-24» | column 7 «lines 26-44» | claim 66 where: Beck's service code is analogous to a service container]. It would have been obvious to one of ordinary skill in the art to

Art Unit: 2152

incorporate the functionality of Beck's dynamic transmission of the service container into Yates' service provisioning system to allow service containers to be dynamically loaded and utilized by terminals. One would have been motivated to perform such an implementation to obtain the benefits of minimizing consumption of device resources by the terminals.

6> As to claim 2, Yates discloses the method as claimed in claim 1, characterized by provision by the service computer of at least one monitor lock for said first service container, via said at least one monitor lock said first service container informs the service server of a condition of the service computer [column 9 «lines 1-7» | column 15 «lines 8-12» where: Yates discloses notifications are transmitted between objects, one object being the service server, another representing the service computer].

7> As to claim 3, Yates discloses the method as claimed in claim 1, characterized by provision by the service computer of at least one management lock for said first service container, via said at least one management lock said first service container sends alarms to an operator terminal or a network management system [column 10 «line 64» to column 11 «line 4»].

8> As to claim 4, Yates discloses the method as claimed in claim 1, characterized in that said terminal sends a request for said service to the service server [column 25 «lines 41-61»].

9> As to claim 5, Yates discloses the method as claimed in claim 1, characterized in that it is carried out in an Intelligent Network representing said communication network [column 8 «lines 30-39»].

10> As to claim 6, Yates discloses the method as claimed in claim 1, characterized in that the service container provides a resource lock for said first service container, said resource lock offering to said first service container an application program interface and/or an interface towards a special resource point and/or an interface towards a service program interface [column 3 «lines 37-59» | column 9 «lines 1-7»].

11> As to claim 7, Yates discloses a service computer for providing personal services for a communication means of a user, said communication means being connected to a communication network,

said service computer comprising network lock means designed such that the service computer can provide at least one network lock for said first service container, said at least one network lock offering to said first service container a predefined interface to said communication network for provision of a personal service for said communication means [column 6 «lines 38-45» | column 9 «lines 1-7» | column 10 «lines 1-16» where: Yates' terminal domain system is comparable in functionality to the service computer]; and

said service computer comprising execution means designed such that the service computer can execute said service machine, said service machine managing the provision of said personal service for said communication means and said service

Art Unit: 2152

machine executing or applying at least one service component for provision of said personal service, said service component being transmitted to said service computer via said first service container or via a second service container [abstract | column 2 «lines 60-65» | column 3 «lines 5-15 and 21-23» | column 4 «lines 41-55» | column 15 «lines 33-40» | column 26 «lines 60-63» | column 29 «line 63» to column 30 «line 9» | claim 1].

Yates does disclose a receiving means for the service computer [column 26 «lines 60-63»] but does not specifically disclose said receiving means for receiving of a first service container containing a service machine from a service server.

12> Beck discloses a service computer comprising a receiving means for receiving of a first service container containing a service machine from a service server [abstract | column 1 «lines 65-67» | column 2 «lines 1-3 and 16-20» | column 6 «lines 13-24» | column 7 «lines 26-44» | claim 1 where: Beck's service code is analogous to a service container, Beck's first device is analogous to a service computer, and second device is analogous to a service server]. It would have been obvious to one of ordinary skill in the art to incorporate the functionality of Beck's dynamic transmission of the service container into Yates' service provisioning system to allow service containers to be dynamically loaded and utilized by terminals. One would have been motivated to perform such an implementation to obtain the benefits of minimizing consumption of device resources by the terminals.

Art Unit: 2152

13> As to claim 8, Yates discloses a service computer module for a service computer for providing personal services for a communication means of a user, said communication means being connected to a communication network,

said service computer module containing program code able to be executed by a control means of the service computer [column 2 «lines 57-65»];

said service computer module comprising network lock means designed such that the service computer can provide at least one network lock for said first service container, said at least one network lock offering to said first service container a predefined interface to said communication network for provision of a personal service for said communication means [column 3 «lines 37-59» | column 6 «lines 38-45» | column 9 «lines 1-7» | column 10 «lines 1-16»]; and

said service computer module comprising execution means designed such that the service computer can execute said service machine, said service machine managing the provision of said personal service for said communication means and said service machine executing or applying at least one service component for provision of said personal service, said service component being transmitted to said service computer via said first service container or via a second service container [column 2 «lines 57-65» | column 3 «lines 5-15 and 55-59» | column 26 «lines 60-67» | claims 1 and 2].

Yates does disclose a service module but does not specifically disclose receiving of a first service container containing a service machine from a service server.

Art Unit: 2152

14> Beck discloses a service module comprising receiving means for receiving of a first service container containing a service machine from a service server [claims 1 and 66 where: Beck's service code is analogous to a service container]. It would have been obvious to one of ordinary skill in the art to incorporate the functionality of Beck's dynamic transmission of the service container into Yates' service provisioning system to allow service containers to be dynamically loaded and utilized by terminals. One would have been motivated to perform such an implementation to obtain the benefits of minimizing consumption of device resources by the terminals.

15> As to claim 9, Yates discloses a service server for providing personal services for a communication means of a user, said communication means being connected to a communication network,

said service server comprising receiving means for receiving a request for a personal service for said communication means [column 25 «lines 38-51»];

said service server comprising provision means for providing at least one first service container [column 26 «lines 60-63» | column 27 «lines 12-31»],

containing a service machine able to manage the execution of said personal service and said service machine further able to execute or to apply at least one service component for said service provision, when said service machine is executed by a service computer, said service component being contained in said first service container or in a second service container [Figure 4 «the items located inside the coordinator analogous to service components» | column 5 «lines 21-55» | column 17 «lines 13-20»], and

Art Unit: 2152

said at least one first service container being adapted to make use of at least one network lock provided by said service computer and offering to said at least one first service container a predefined interface to said communication network [column 6 «lines 38-45» | column 9 «lines 1-7» | column 10 «lines 1-16»]; and

Yates does disclose a service server comprising transmission means for transmission of a service to said service computer [column 26 «lines 60-63»] but does not specifically disclose transmitting a service container.

16> Beck discloses a transmitting a service container to a service computer [Figure 1 «item 102» | column 3 «lines 38-47» | claim 1]. It would have been obvious to one of ordinary skill in the art to incorporate the functionality of Beck's dynamic transmission of the service container into Yates' service provisioning system to allow service containers to be dynamically loaded and utilized by terminals. One would have been motivated to perform such an implementation to obtain the benefits of minimizing consumption of device resources by the terminals.

17> As to claim 10, Yates discloses a service server module for a service server for providing personal services for a communication means of a user, said communication means being connected to a communication network, said service server module containing program code able to be executed by a control means of the service server;

said service server module comprising receiving means for receiving a request for a personal service for said communication means;

said service server module comprising provision means for providing at least one first service container,

containing a service machine able to manage the execution of said personal service and said service machine further able to execute or to apply at least one service component for said service provision, when said service machine is executed by a service computer, said service component being contained in said first service container or in a second service container [Figure 4 «the items located inside the coordinator analogous to service components» | column 5 «lines 21-55» | column 17 «lines 13-20»], and

said at least one first service container being adapted to make use of at least one network lock provided by said service computer and offering to said at least one first service container a predefined interface to said communication network [column 6 «lines 38-45» | column 9 «lines 1-7» | column 10 «lines 1-16»]; and

Yates does discloses a service server module comprising transmission means for transmission of a service to said service computer [column 4 «lines 14-35» | column 26 «lines 60-63»] but does not specifically disclose transmission of a service container to the service computer.

18> Beck discloses a service module for transmitting a service container to a service computer [Figure 1 «item 102» | column 3 «lines 38-47» | claims 1 and 66]. It

would have been obvious to one of ordinary skill in the art to incorporate the functionality of Beck's dynamic transmission of the service container into Yates' service provisioning system to allow service containers to be dynamically loaded and utilized by terminals. One would have been motivated to perform such an implementation to obtain the benefits of minimizing consumption of device resources by the terminals.

19> As to claim 11, Yates discloses a first service container for providing personal services for a communication means of a user, said communication means, being connected to a communication network,

    said first service container containing program code able to be executed by a control means of a service container [column 2 «lines 57-65»];

    said first service container containing a service machine able to manage the execution of a personal service and said service machine further able to execute or to apply at least one service component for said service provision, when said service machine is executed by said service computer, said service component being contained in said first service container or in a second service container [ abstract | column 4 «lines 41-55» | column 15 «lines 33-40» | column 26 «lines 60-63» | claim 1]; and

    said first service container being adapted to make use of at least one network lock provided by said service computer and offering to said first service container a predefined interface to said communication network [column 6 «lines 38-45» | column 9 «lines 1-7» | column 10 «lines 1-16» where: Yates' interfaces are comparable

in functionality to the network lock and Yates' terminal domain is analogous to the service computer].

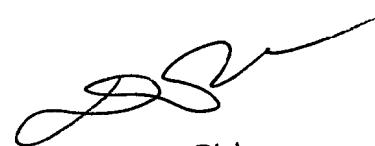
### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (571)272-3942. The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC



Dung C. Dinh  
Primary Examiner